

**ASIAN INSTITUTE OF INTERNATIONAL FINANCIAL LAW
FACULTY OF LAW, THE UNIVERSITY OF HONG KONG**

LAW AND ECONOMICS WORKSHOP SERIES

**Judging Around the World: Experimental,
Clickstream, and Writing Evidence from the Lab**

Professor Holger Spamann

*Lawrence R. Grove Professor of Law
Harvard Law School*

Thursday, 18 July 2019

12:00 - 1:00 pm

Room 723, 7/F Cheng Yu Tung Tower, The University of Hong Kong

In our lab, 331 real judges from seven major jurisdictions (USA, Argentina, Brazil, China, France, Germany, India) spent up to 55 minutes to judge an international criminal appeals case and determine the appropriate prison sentence. The lab computer randomly assigned each judge (i) a sympathetic or an unsympathetic defendant, (ii) a precedent disfavoring, favoring, or strongly favoring the defendant, and (iii) a short, medium, or long sentence anchor, and logged their use of the materials (fictitious briefs, statement of facts; real trial judgment, statute, precedent). Even extremely strong precedents barely had a detectable effect on judges' decisions, whereas the legally irrelevant defendant attributes and sentence anchors did. Common and civil law participants differed in their style of written reasons but not their use of the materials, and civil law judges if anything adhered more to precedent. This paper is a joint work with Lars Klöhn, Christophe Jamin, Vik Khanna, Zhuang Liu, Pavan Mamidi, Alexander Morell and Ivan Reidel.

Holger Spamann is the Lawrence R. Grove Professor of Law at Harvard Law School, where he teaches corporate law and corporate finance. His research focuses on the law and economics of corporate governance and financial markets, judicial behavior, and comparative law. Before embarking on his academic career, he practiced with Debevoise & Plimpton in New York and clerked for two years in Europe. He holds too many degrees, among them a Ph.D. in economics from Harvard University. He is a member of the bar of New York and qualified for the German bar.

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The Law & Economics Workshop, directed by Dr Angela Huyue Zhang, is a forum devoted to discussing the latest research in law and economics featuring both external and internal speakers. The Workshop aims to promote interdisciplinary research, and to foster collaboration between law professors and scholars from other disciplines. Anyone with a keen interest in law and economics is welcome.

